THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.323 OF 2006

Dated: 31st MARCH, 2006.

Between :

1. Mudda Sudhakar and 29 others. … Petitioners

And

1. The Principal Secretary, Transport, Roads & Buildings, Secretariat, Hyderabad and 3 others. … Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.323 OF 2006

ORDER :

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondents 2 and 4 in changing the road alignment from Anantagiri Chowrasta to Alampally in Vikarabad town and also direct the respondents 2 and 4 to take up the road-widening process only after the removal of encroachments raised on the drains and roads, without initiating the land acquisition proceedings or without issuing prior notice to the petitioners as arbitrary and illegal.

This Court, while directing Notice Before Admission, by order dated 04-1-2006 granted interim direction as under :

> *"Pending further orders, it is directed that it shall be open to the respondents to change the alignment of the road in the manner, which they find appropriate, but the properties of the petitioners shall not be taken possession of, except by paying compensation or by acquiring the same under the provisions of the Land Acquisition Act."*

Despite notice, the respondents did not choose to file any counter-affidavit contradicting the version of the petitioners.

In the circumstances, the Writ Petition is disposed of in terms of the above interim order dated 04-1-2006 making it clear that the respondents shall not indulge in demolition of the structures in question without following due process of law. No costs.

G. ROHINI, J.

Dt. 31-3-2006

gbs